

Correspondence  
Item 5a  
Restaurant Conditional Use Permit  
PA2011-062

Michael Toerge  
Secretary, Planning Commission  
City of Newport Beach



Dear Mr. Toerge;

We are residents of the Rendezvous Condominiums located at 600 E. Oceanfront, Newport Beach. We are writing this letter to oppose the application for a conditional use permit to allow an eating and drinking establishment with late hours at 111 Palm Street.

There currently are eight restaurant/bars within a 4 block radius of 111 Palm. The late night loud noise, profanity, and general disturbance created by patrons of these establishments is offensive. Many nights when the Class of 47 or Cabo Cantina last calls, we are subjected to customers leaving the bar/restaurants inebriated, with no regard for the residents trying to sleep.

Often, they will holler profanity, cat call, urinate on bushes surrounding our condo, and create disturbances for all. This usually goes on until 2:30-3:00 a.m. It disrupts our ability to sleep and is a major concern.

I'm sure the Newport Beach Police Department receives many calls in this regard. We already are subjected to all of this as well as the Cigar Lounge at 107 Palm which routinely stays open until 2 or 3 a.m. with their doors wide open with loud patrons and music.

We are certainly pro business, but to allow yet another Bar/Restaurant in this area would be simply more of the same. Please take the time to come visit this area late at night and I am certain you will agree that enough is enough!

Thank you for your consideration

Two handwritten signatures in blue ink. The top signature is "George Milutinovich" and the bottom signature is "Cathy Milutinovich".

George and Cathy Milutinovich  
600 E. Oceanfront 3H  
Newport Beach, Ca. 92661

**Burns, Marlene**

**From:** Robert C. Hawkins [rhawkins@earthlink.net]  
**Sent:** Monday, July 11, 2011 7:33 PM  
**To:** Jim Stratton  
**Cc:** Burns, Marlene  
**Subject:** Re: Restaurant conditional use- 111 Palm

Thanks for your comments. Although MC section 20.40.130 provides for in lieu parking fees, the City does not currently assess in lieu parking fees because the current assessment is \$125 per year per space. The fees do not cover the accounting of such fees. The Council suspended such fees in the early 1990's. I have advocated for reinstitution of the in lieu fee at a reasonable amount, i.e. the cost of acquisition and the cost of construction. The City acquired Balboa Market site for \$3.2M for 32 spaces-- that's over \$100,000 per space.

As for credit, please refer to Appendix A of the Traffic Phasing Ordinance, MC Chapter 20.40.

Please note that the Planning Commission has requested that the City Council look at this issue. They have taken no action yet.

I will be happy to talk with you further. Call me at 949 650 5550. Thanks. RCH

-----Original Message-----

>From: Jim Stratton <jaimest@mac.com>  
>Sent: Jul 11, 2011 6:21 PM  
>To: rhawkins@earthlink.net  
>Subject: Restaurant conditional use- 111 Palm

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>Dear Mr. Hawkins: Could you direct me to where I might find information re: your comment that in-lieu parking was not an option for the applicant and also where I could find info re: "credits" for parking. You seemed to be the most informed as I listened the other night and thought that you might be able to help. I spoke briefly supporting deferral of the request in deference to a more comprehensive long range parking plan for the Balboa Village.

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>Thanks for considering,  
>Jim Stratton